

GENERAL INFORMATION

9008 - Court Information

The trial courts in Fresno County have unified the Superior and Municipal Courts. The Superior Court has general jurisdiction to handle probate, juvenile, family law, felony trials, and civil cases in which the amount in dispute exceeds \$25,000. The Court also has trial jurisdiction in criminal and traffic misdemeanor and infraction cases, civil cases involving \$25,000 or less, and small claims cases involving no more than \$5,000. In addition, judges act as magistrates, presiding over preliminary hearings in felony cases to determine whether there is reasonable and probable cause to hold a defendant for further proceedings.

The Clerk's Office is located at the Fresno County Courthouse, 1100 Van Ness Avenue, Fresno.

There are courts throughout Fresno County. The Central Division handles cases arising in the city of Fresno and the immediate surrounding metropolitan area. The Central Division has offices in the Fresno County Courthouse. The Court has offices in Clovis, Coalinga, Firebaugh, Fowler, Kerman, Kingsburg, Reedley, Sanger, and Selma that handle cases occurring outside the Fresno area.

The Court's web site address is www.fresno.ca.gov/2810/default.htm. Local Rules of Court, the current fee schedule, court locations, hours of operation, jury duty information and phone numbers can be found at this web site.

8001 - Election Office

The Election Office is part of the County Clerk's Department. The office hours are Monday through Friday, from 7 a.m. to 5 p.m.

To register to vote, you may pick up a registration form at any library, post office, fire station or come into the County Clerk's Office located at 2221 Kern Street, Fresno.

To vote in an election, you must be registered at least 29 days prior to the date of the election. You will find your polling place location typed on the back of the sample ballot which is mailed to you.

If you wish to vote absentee, you must request an absentee ballot by either completing and mailing the application form found on the back of your sample ballot, writing a letter to our office, or coming into the County Clerk's Office beginning 29 days before the election.

8002 - Passports

Passports are processed by the U.S. Post Office and the County Clerk.

To get more information or to apply for one, please call the U.S. Post Office at (559) 487-7675, or go down to the Main Post Office located at 1900 "E" Street or the County Clerk's Office at 2221 Kern Street, Fresno.

8003 - Law Library

The Fresno County Law Library is a public library on the sixth floor of the County Courthouse located at 1100 Van Ness Avenue, Fresno. The library is open to the public from 8:00 a.m. to 5:00 p.m., Monday through Friday.

The collection contains California and Federal laws along with practice books to explain the various legal procedures. Form books are available to assist the reader in preparing legal documents. The Library owns several self-help books, which clearly explain common procedures in family law matters or landlord/tenant issues.

The library is for reference only, which means there is no borrowing of material. Photocopy machines are available and the cost is 10 cents per copy.

A librarian is available to demonstrate the use of the books, but may not explain or interpret the law.

Please call the library if you have any questions. The telephone number is (559) 237-2227.

HOW TO LOCATE

8004 - Courthouse

THE FRESNO COUNTY COURTHOUSE is located at 1100 Van Ness Avenue, across the street from the Doubletree Hotel. It is the building in the center of Courthouse Park where the main bus stops are located.

If you are coming downtown southbound on Freeway 41, take the Van Ness Avenue exit and turn RIGHT toward Ventura Street and stay on Van Ness Avenue. As you approach Tulare Street, get into the right lane and look for large brown signs that say "Parking". This is the underground parking and the entrance is immediately across Tulare Street. It is the best parking available. Once you are in the parking garage, there are signs that will point you towards the courthouse. If you are traveling northbound on Freeway 41, take the Van Ness Avenue exit, turn LEFT toward Ventura Street, and then follow the same directions. If you are traveling southbound on Freeway 99, take the Freeway 180/Ventura Avenue exit and turn LEFT. If you are traveling northbound on Freeway 99, use the Freeway 180/Ventura Avenue exit and turn RIGHT.

Stay on Ventura Avenue until you get to Van Ness Avenue, where you turn LEFT. Travel towards the Courthouse, moving into the right lane so that when you reach Tulare Avenue you will be ready for the underground parking, where you may park and follow the signs leading to the Courthouse. If you need further directions, please call (559) 488-2708.

8005 - The Board of Supervisors

The Board of Supervisors is located in the Hall of Records at 2281 Tulare Street, Fresno, CA, at the corner of Tulare & "M" Streets.

The Fresno County Plaza (formerly Del Webb Hotel) is across the street on one corner and the Post Office is across the street on the other corner. They are on the third floor and the telephone number of the Clerk to the Board of Supervisors is (559) 488-3529.

8006 - Public Defender

The Office of the Public Defender is located in the Fresno County Plaza, formerly known as the Del Webb Hotel. Their address is 2200 Tulare Street, Fresno, CA, on the corner of Tulare and "M" Street.

They are located on the third floor and their office hours are 8:00 a.m. to 5:00 p.m. (they are closed for the lunch hour). Their phone number is (559) 488-3546.

8007 - District Attorney

The Office of the District Attorney is located in the Fresno County Plaza, formerly known as the Del Webb Hotel. Their address is 2200 Tulare Street, Fresno, CA, on the corner of Tulare and "M" Streets.

They are located on the tenth floor, and their office hours are 9:00 a.m. to 4:00 p.m., (they are closed for the lunch hour). Their telephone number is (559) 488-3141.

8008 - Sheriff

If you are calling regarding an emergency, hang up and dial 911.

The Sheriff's Department is located in the Law Enforcement Building at 2200 Fresno Street, Fresno. Their lobby hours are 9:00 a.m. to 4:00 p.m. during which time you may make payments and review records. For information in a non-emergency situation, dial (559) 488-3111.

8009 - Probation Department

The Probation Department is located on the eighth floor of the courthouse. Their office hours are 8:00 a.m. to 5:00 p.m. (they are closed for the lunch hour). Their phone number is (559) 488-3420.

If you are coming downtown southbound on Freeway 41, take the Van Ness Avenue exit and turn RIGHT, toward Ventura Street and stay on Van Ness Avenue. As you approach Tulare Street, get into the right lane and look for large brown signs that say "Parking". This is the underground parking and the entrance is immediately across Tulare Street. It is the best parking available. Once you are in the parking garage, there are signs that will point you towards the courthouse. If you are traveling northbound on Freeway 41, take the Van Ness Avenue exit, turn LEFT, toward Ventura Street, and then follow the same directions. If you are traveling southbound on Freeway 99, take the Freeway 180/Ventura Avenue exit and turn LEFT. If you are traveling northbound on Freeway 99, use the Freeway 180/Ventura Avenue exit and turn RIGHT.

Stay on Ventura Avenue until you get to Van Ness Avenue, where you turn LEFT. Travel towards the Courthouse, moving into the right lane so that when you reach Tulare Avenue you will be ready for the underground parking where you may park and follow the signs leading to the Courthouse. If you need further directions, please call (559) 488-2708.

8010 - Land Records

The Recorder's Office is located in the Hall of Records at 2281 Tulare Street, at the corner of Tulare and "M" Streets, Fresno.

The Fresno County Plaza (formerly Del Webb Hotel) is across the street on one corner and the Post Office is across the street on the other corner. They are on the third floor, and their telephone number is (559) 488-3471 for Real Estate and deeds, and (559) 488-3476 for birth, marriage or death certificates. Their office hours are 9:00 a.m. to 4:00 p.m. for both sections and they are open during the lunch hour.

For further directions, please call the Recorder's Office at (559) 488-3471 between the hours of 9:00 a.m. to 4:00 p.m. Thank you.

8011 - Property Appraiser/Tax Collector

The Office of the Auditor/Tax Collector is located in the Hall of Records at 2281 Tulare Street, Fresno, CA, at the corner of Tulare and "M" Streets.

The Fresno County Plaza (formerly Del Webb Hotel) is across the street on the other corner. They are on the first floor, Room 105, and their telephone number is (559) 488-3496 for the Auditor's Office and (559) 488-3482 for the Tax Collector's Office.

Their office hours are 8:00 a.m. to 5:00 p.m. for both sections and they are open during the lunch hour. For further directions, please call their office at (559) 488-3496 between the hours of 8:00 a.m. to 5:00 p.m.

Thank you.

CIVIL

8012 - How Do I Change My Name?

A petition to change a name can be filed with the Superior Court through the Civil Department, 1100 Van Ness Avenue, Room 401. An adult may petition on their own, but a minor must have a parent, relative or other adult guardian petition for them. Packets of forms for name changes are available in the Clerk's Office for 50 cents. The fee for filing a name change petition is \$198.00. You must complete both copies of the Petition, the Order to Show Cause and the Judgment, except for the judge's signature and the hearing date, and bring them to the Clerk's Office for filing. The day after you file your paperwork, you may pick up a copy of the signed Order to Show Cause with the hearing date on it. You must then have this information published in a newspaper of your choice once a week for four weeks to give notice of the hearing to anyone who might object to the name change. You must file proof of the publication with the Clerk's Office before the date of the hearing or bring the proof to court with you. If the judge grants the name change and signs the judgment, bring the signed document to the Civil Clerk's Office in Room 401 for filing.

If you are a divorced woman seeking to return to your maiden name, and that name was not restored in the decree of divorce, you may obtain a form to apply for the change from the Family Law Department located in Room 401. The form must be completed and returned to the Clerk's Office for a judge to sign.

If you appeared in the divorce action, there is no fee for this. If you did not, then you must pay the \$195.00 first appearance fee.

8013 - Copies of Court Documents

Copies of filings in court cases can be obtained from the Clerk's Office. Copies can also be obtained through the mail by writing to the appropriate Clerk's Office address (see Hours and Location in Local Talk).

The fee for copy work is 50 cents per side for regular copies and an additional \$6.00 per document for certification. The entire document must be copied in order to be certified. Certified copies of a final decree of divorce are \$10.00 each. If you are obtaining copies by mail, be sure to enclose a self-addressed, stamped envelope for the reply. If you are requesting copies by mail and don't know the number of pages to be copied, you may send a check with the amount blank and a notation "not to exceed" whatever sum seems reasonable.

8014 - Filing/Waiver Fee Information

The filing fees for civil cases in Superior Court are \$198.00 for a new case. The filing fee for an answer or other first appearance is \$195.00 per defendant. The filing fees for Limited Civil cases are: \$96.00 for filing a new case when the amount requested in the complaint is \$10,000.00 or less and \$103.00 if the amount requested is over \$10,000.00. The first appearance fee is \$93.00 per defendant. Other fees include: \$23.00 for most motions or documents setting a hearing; \$100.00 for motions for summary judgment or adjudication; \$7.00 for issuance of a writ or abstract of judgment. There is a charge of \$5.00 per name or case number to have a clerk search the computer or file for information. Forms are available for 10 cents each.

If you cannot afford to pay court fees and costs, you may apply for an order waiving those fees. If you are receiving government financial assistance or if your income is not enough to pay court fees and costs and also pay for the common necessities of life for yourself and the people you support, you may not have to pay. You may obtain the Application for Waiver of Court Fees and Costs from the Clerk's Office. There is no charge for these forms.

8015 - Hours and Location

The Fresno County Superior Court Clerk's Office, Central Division, is located at 1100 Van Ness Avenue, Fresno. It is open from 8:00 a.m. to 4:00 p.m. The Fresno County Superior Court Archives (for older case records) is located at 1963 E Street, Fresno, and is also open from 8:00 a.m. to 4:00 p.m.

The Juvenile Court Department is located at 742 South Tenth Street. The office hours are from 8:00 a.m. to 5:00 p.m. They are closed from 12:00 p.m. to 1:00 p.m.

The mailing address for the Fresno County Superior Court Clerk's Office, Central Division, is 1100 Van Ness Avenue, Fresno, CA 93724-0002.

The court also has offices in Clovis, Coalinga, Firebaugh, Fowler, Kerman, Kingsburg, Reedley, Sanger, and Selma. The office hours are from 8:00 a.m. to 4:00 p.m. They are closed from 12:00 p.m. to 1:00 p.m. For telephone numbers and addresses for these offices, please refer to your Fresno/Madera telephone directory.

8016 - Filing of Complaints/Answers and Other Pleadings

Filings for the court should be mailed or delivered to the Clerk's Office. If you are to file a summons and complaint or other new case, bring the completed documents and the copies you wish conformed along with the appropriate filing fees. Many cases require that a completed Civil Case Cover Sheet accompany the complaint. If you have been sued and wish to answer, you must prepare a typed, or clearly printed, legally formatted document, serve it on the plaintiff, and then file it with the Clerk's Office.

The Clerk's Office sells many of the Judicial Council forms which can be purchased for 10 cents each. However, these forms may or may not be appropriate for your case and the clerks cannot help you select forms or give any legal advice whatsoever. It is recommended that you seek legal advice from an attorney. If you file any documents involving an upcoming hearing, the local court rules require that a courtesy copy be left with the Clerk's Office.

CRIMINAL

8017 - What Will Happen When I Appear In Court?

The first appearance in court is called an arraignment. That is when the court will inform you of your rights and the charges that are filed against you. That is also the time to enter a plea of guilty or not guilty. If you plead guilty, you can be sentenced right away or have your case continued to a later date.

If you are charged with a misdemeanor and plead not guilty, you are entitled to a jury trial or court trial. If you are charged with a felony and plead not guilty, your case will be scheduled for a preliminary hearing.

8018 - How Do I Get An Attorney?

If you are unable to employ your own attorney, you will need to fill out a short financial report provided to you in the courtroom. If you qualify, an attorney will be appointed to represent you. If you want to retain your own attorney, the court may continue your case to give you time to obtain an attorney.

8019 - How Do I Change My Court Date?

On a misdemeanor arraignment, you may only reschedule your court date for an earlier date. You must appear at the court where your complaint has been filed. The Fresno County Superior Court is located at 1100 Van Ness Avenue, Fresno. If your case arises in an outlying community, contact the Clerk's Office in that area. At that time, another agreement to appear must be signed to guarantee your court appearance. The date must be scheduled at least five days prior to the appearance date so that your case will appear on the court calendar. No telephone extension will be granted.

If you have posted a surety bond through a bondsman, you must appear on the date scheduled.

8020 - How Do I Clear My Warrant?

If you have a misdemeanor warrant for your arrest, you must appear in the court where your complaint has been filed. At that time, you will be rescheduled for court and given a calendar notification. Your warrant will remain active until you actually appear in court. The Fresno County Superior Court is located at 1100 Van Ness Avenue, Fresno. If your case arises in an outlying community, contact the Clerk's Office in that area.

If you have a felony warrant, you must contact the court where the complaint was filed for further direction. The warrant will not be recalled until you actually appear in court.

If you were released on a surety bond, you will need to bring in a letter of reassumption from the bondsman and pay the \$45.00 fee to have the bond reinstated by the court.

8021 - How Do I Get An Extension To Pay My Fine?

You may request one 30-day extension to pay your fine.

You can make your request by mail or in person in the court where your complaint has been filed. The Fresno County Superior Court, Central Division, is located at 1100 Van Ness Avenue, Fresno, CA 93724-0002. If your case arises in an outlying community, contact the Clerk's Office in that area.

If your case has been transferred to the Revenue Reimbursement Department for collection, you will need to stay in contact with them to change your payment schedules. Their phone number is (559) 488-3815.

8022 - How Do I Get My Case Sealed/Dismissed?

You may have your case sealed if you were a minor under the age of 18 years at the time the crime was committed.

You can also request that your case be sealed if the court finds that you were factually innocent and the case was dismissed.

You can have your case dismissed at any time after one year from the date of your sentence if the following applies: All terms of the sentence have been complied with, you are not serving a sentence for any other offense, and you have not been charged with any other crime since the time of your sentence.

Forms are available at the court.

8023 - How Do I Get a Pardon?

A Certificate of Rehabilitation Petition form and instructions can be obtained in the Clerk's Office on the 4th floor of the courthouse in the Criminal Department. No filing fees are required. Office hours are 8:00 a.m. to 4:00 p.m.

A Governor's pardon restores certain citizenship rights to the individual who has demonstrated a high standard of constructive behavior following conviction for an offense. Once an application for pardon is filed, the Governor reviews the case. Not all applications are granted.

Pardon applications will NOT be considered UNLESS an applicant has been discharged from probation or parole for at least 10 years. You must also have resided continuously in the State of California for three years prior to filing the petition.

A pardon does NOT seal or expunge the record of the conviction. Prior convictions may still be considered even after a pardon is granted if the person is convicted of a NEW offense.

A person who has been pardoned can state that they have been convicted and pardoned not that the person has no record of arrests or convictions.

8024 - How Can I Get Copies of My File?

You can get copies of your file by making your request to the court where your case was filed. The copy fee is 50 cents per side. Contact the court to make sure your file is available for copying.

DIVORCE/CUSTODY/SUPPORT

8025 - How Do I File For Divorce?

The Fresno County Superior Court Clerk's Office has divorce packets available to the public. A dissolution packet costs \$2.40. If there are children involved, a child custody form will be required. The fee for this additional form is 10 cents. All forms must be typewritten or clearly printed in black ink.

The filing fee for a divorce is \$198.00. If you cannot afford the filing fee, you may apply for a waiver of fees by filing an Application and Order for Waiver of Court Fees and Costs.

Clerks are prohibited by law from giving legal advice. If you need any help or have legal questions, you will need to consult an attorney or the Family Law Facilitator's Office.

8051 - How Do I Get a Speedy Divorce?

A shorter and easier way to get a divorce is called a Summary Dissolution. A Summary Dissolution is possible for couples who:

1. Have no children;
2. Have been married less than 5 years.
3. Don't own very much;
4. Don't owe very much; and
5. Have no disagreements about how their belongings and their debts are going to be divided up once they are no longer married to each other.

With this procedure you will not have to appear in court. You may not need a lawyer, but it could be in your best interest to see a lawyer about the ending of your marriage.

The necessary forms for a Summary Dissolution may be obtained from the Superior Court Clerk's Office at a cost of 90 cents.

8026 - Is My Divorce Final?

After the judge signs your judgment, a notice of entry with the date of termination of marital status will be mailed to both parties.

If you have submitted your judgment to the court and wish to know the status of your case, you may speak with a clerk in the Family Law Department of the Clerk's Office. Please have your case number available. This information may also be obtained from the court computers located in Room 401 of the courthouse.

8027 - Can My Marriage Be Annulled?

You may want to contact an attorney before you file for an annulment. If your marriage was based on one or more of the following, you may file to have your marriage annulled:

1. incest
2. bigamy
3. petitioner's age
4. prior existing marriage
5. unsound mind
6. fraud
7. force
8. physical incapacity

You may purchase the packet containing nullity forms from the Clerk's Office for \$2.40. The filing fee is \$198.00. If you cannot afford to pay the fee, you may apply for a waiver of fees by filing an Application for Waiver of Court Fees and Costs.

8028 - How Do I Modify Court Orders?

A hearing is required before any court order can be modified. If you wish to modify a court order, you may file a Motion for Modification. The Fresno County Superior Court Clerk's Office has the form to set a court hearing. A fee of \$43.00 is required to file a Motion for Modification. After the hearing, you must submit an Order After Hearing for the order to be effective.

8029 - How Do I Change My Address?

If your address changes, you must submit either a typewritten pleading form which must conform to the California Rules of Court or a legal form which may be purchased from the Fresno County Superior Court Clerk's Office. The fee for the legal form is 10 cents. You must keep the court informed of your current address by filing a Notice of Change of Address.

8030 - Can I Use Mediation in My Divorce Case?

The San Joaquin College of Law provides mediation in property disputes when the total assets are valued at \$50,000 or less. There is no fee for this service. To take advantage of this service, you may call San Joaquin College of Law at (559) 323-5566.

8031 - The District Attorney Has Filed a Child Support Case Against Me - What Can I Do?

You may call the District Attorney's Office at (559) 453-1000 or come to the Family Support Division located in Suite 310 at the County Plaza, 2220 Tulare Street, Fresno. Office hours are from 7:00 a.m. to 4:30 p.m., Monday through Friday.

If you wish to respond, you may buy the legal form needed to answer the complaint filed against you at the Family Support Clerk's Office located in the lower level of the Fresno County Plaza at 2220 Tulare Street, Suite 010, Fresno, CA 93721. This office is open Monday through Friday from 8:00 a.m. to 4:00 p.m. The filing fee is \$195.00. Please bring with you or submit by mail the original and two copies of all documents to be filed with the Family Support Clerk's Office. If you cannot afford to pay the fee, you may apply for a waiver of fees by filing an Application and Order for Waiver of Court Fees and Costs. If you do not respond, the court may enter a judgment against you.

For additional information, call the Family Support Division at (559) 453-5090 or the Family Support Clerk's Office at (559) 488-3792.

8032 - I Have a Child, But I'm Not Married To The Other Parent, How Do I Deal With Custody and Support?

You may want to consult an attorney before you file for custody.

You may file a petition to establish parental relationship. A packet of legal forms may be purchased from the Family Support Clerk's Office for \$1.50. The filing fee is \$195.00. If you cannot afford to pay the fee, you may apply for a waiver of fees by filing an Application for Waiver of Court Fees and Costs.

8082 - Can I Get Help With My Paperwork?

The Family Law Facilitator's Office provides free legal assistance to parties who are not represented by an attorney. This office gives information and assistance in family law related matters including dissolutions, petitions to establish parental rights, domestic violence, child and spousal support, child visitation and custody, and orders after hearing. Assistance is also provided for basic Family Law procedures such as completing paperwork, filing documents, and serving papers. The Facilitator's Office does not represent parties or act as their advocate. Instead, the Facilitator's staff assists parties in representing themselves.

Office hours are 8:00 a.m. to 12:00 noon, and 1:00 p.m. to 4:00 p.m., Monday through Friday. Customers are seen by appointment only. Call (559) 497-6500 for an appointment. Please have your case number ready when you call.

EVICCTIONS

8033 - My Tenant Has Not Paid Rent - What Can I Do?

Before initiating the eviction process, you must have already served a "Three Day Notice to Pay Rent or Quit". The three days must have elapsed. You will need a summons and complaint for unlawful detainer. These forms may be typewritten or clearly printed in black ink. Once completed, the original and copies are to be brought to the Civil Department for processing. The filing fee is \$96.00. You are responsible for having the defendant served. Service may be performed by the Sheriff's Office, a process server or a disinterested party over the age of eighteen. You are responsible for providing them with conformed copies. The defendant has five days from the date of service to file a written response. If the defendant does not file a response, you may come on the sixth day and file default forms. If the service is by substituted service, the defendant has fifteen days. If the defendant does not file a response, you may come on the sixteenth day and file default forms. If the defendant responds, you must file an At Issue Memorandum to set the case for trial and you will be notified of a trial date by our office. If the defendant does not file a written response, you may come in on the sixth or sixteenth day after service and file default forms. If you wish to obtain judgment for restitution of the premises only, this is processed in the Clerk's Office. If you also want money damages, you must appear in court. All of the mentioned forms except the "Three Day Notice" are available from the Civil Department located at 1100 Van Ness Avenue, Room 200, Fresno, CA 93724-0002. If your case arises in an outlying community, contact the Clerk's Office in that area. If you are in need of legal advice, you may contact the Attorney Referral Service at (559) 264-0137, 1221 Van Ness Avenue, Suite 300, Fresno, CA 93721.

8034 - I Have Been Served Eviction Papers - What Can I Do?

If you wish to contest your eviction, you have five days from the date you were served to file a written answer. If you were served by substituted service, you have fifteen days. Your answer must be in the proper legal form and must be typewritten or clearly printed in black ink. The filing fee for an answer is \$93.00 per defendant. A copy of your answer must be mailed to the plaintiff or attorney for the plaintiff. This mailing must be done by a disinterested party over the age of eighteen and that party must complete and sign a declaration of mailing. The original answer, the original declaration of mailing and the filing fee must be filed in the Civil Department within the prescribed time for answering. The case will then be set for trial and the Civil Department will notify you by mail of the trial date. If you do not file an answer, a default judgment will be entered against you and you will be evicted. All of the mentioned forms are available from the Civil Department located at 1100 Van Ness Avenue, Room 200, Fresno, CA 93724-0002. If your case arises in an outlying community, contact the Clerk's Office in that area. If you are in need of legal advice, you may contact the Attorney Referral service at (559) 264-0137, 1221 Van Ness Avenue, Suite 300, Fresno, CA 93721. If you cannot afford your own attorney, you may contact Central California Legal Services at (559) 441-1611, 2014 Tulare, Suite 600, Fresno, CA 93721. You may also contact Centro La Familia at (559) 237-2961, 2014 Tulare, Suite 717, Fresno, CA 93721.

FICTITIOUS BUSINESS NAMES

8035 - Should I File a Fictitious Business Name Statement?

Section 17910 of the Business and Professions Code requires that every person who regularly transacts business in this state for profit under a Fictitious Business Name shall file a Fictitious Business Name Statement in accordance with this chapter no later than 40 days from the time he or she begins to transact the business and file a new statement before the date of expiration. A Fictitious Business Name Statement expires five years from the date of filing.

The filing fee for a Fictitious Business Name is \$35.00 for one business name and one owner. Each additional business name or owner is \$7.00.

The Fictitious Business Name Statement must be published within 30 days from the date it is filed. Failure to publish will inactivate the filing on the 31st day from the date it was filed.

Forms may be picked up at the County Clerk's Office, 2221 Kern Street, downtown Fresno, located in the County Plaza Complex, between "L" and "M" Streets and across from the Kern Cafe.

Forms can be mailed to you by calling (559) 488-3003.

JURY DUTY

8036 - May I Postpone My Jury Service to A Later Date?

The Jury Office will grant a one-time service deferral. Select a date within six (6) months that you can serve and complete the postponement section located on the bottom portion of the summons form. A new summons will be mailed to you four (4) weeks prior to your appearance date.

8037 - Where Do I Report For Jury Duty/Where Do I Park?

Jurors who have been summoned to the Central Division of the Fresno County Superior Court will report to the Jury Assembly Room located across the breezeway from the main entrance of the County Courthouse, 1100 Van Ness Avenue, Fresno. Jurors summoned by the outlying divisions should report to the address indicated on the jury summons. Please refer to the map that is printed on the back of the summons. The evening prior to reporting, call the recorded message number that is printed on the summons for the most current reporting information. The recorded message number for the Central Division is (559) 488-2600. This information is also available on the Court's web site at www.fresno.ca.gov/2810/index.htm. The recorded message number for the outlying divisions can be found on the "jury duty check-in slip" portion of the summons.

Parking is available in Lot 7 for all jurors reporting to the Central Division. Lot 7 is located in the spiral parking structure, located on the corner of Inyo and Van Ness Avenue, Fresno. If you drive an oversized vehicle, you may park in Lot 5 located on the southeast corner of Tulare and Broadway, Fresno. Please refer to the map that is printed on the back of the summons. Parking permits will be available in the Jury Assembly Room.

8039 - What Will Happen If I Do Not Appear For Jury Duty?

Any prospective trial juror who has been summoned for service and fails to respond may be arrested and ordered to appear before a judge to explain why they failed to report for jury duty. If the court finds them in contempt, they may be subject to a fine, incarceration, or both.

8040 - How Jurors are Selected, Scheduled and Paid?

Juror names are currently drawn at random from a pool of licensed drivers and registered voters of Fresno County.

The court has adopted a “One Day Or One Trial” system. You may be asked to call for reporting instructions numerous times but barring unusual circumstances, you should be released from jury duty for at least a one-year period if not assigned to a courtroom by the end of the day that you appear for jury duty.

Only sworn jurors will be paid \$5.00 a day, plus one-way mileage for the number of trial days served. Sworn jurors are defined as those jurors selected to hear testimony during the trial and reach a verdict. Payroll checks will be issued approximately four to six weeks after your service has been completed. If you have not received your payroll check, you may contact the Jury Office at (559) 488-3400, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

JUVENILE

8041 - How Do I Seal My Record?

If you are over 18 or it has been 5 years since the date of adjudication, you may apply to have your juvenile court file sealed. The judge will consider your application and decide whether or not your record should be sealed.

Forms are available at the Juvenile Court Clerk's Office at 742 S. 10th Street, Fresno. The office is open 8:00 a.m. to 5:00 p.m., Monday through Friday. They are closed from 12:00 p.m. to 1:00 p.m. It is located near the corner of 10th and Ventura on the second floor of the Juvenile Court Building.

8042 - How Do I Get Emancipated?

A Court Declaration of Emancipation is a legal decree allowing a minor to be treated as an adult for many purposes, including entering into contracts, suing and being sued.

Minors may petition the Court to become emancipated if they are 14 years of age or older, willingly living apart from both parents, managing their own financial affairs, and can present good cause to the court. Parents cannot apply to have their children emancipated.

Forms are available in the Civil Department, 1100 Van Ness Avenue, Room 401, Fresno. The packet of forms costs 50 cents. When completed, the forms must be returned to the Clerk's Office for filing. The filing fee is \$198.00. A judge will grant or deny the petition or set it for a hearing.

8043 - How Do I Change My Court Date?

To change a court date regarding a Juvenile Court delinquency matter, you must contact your attorney. To change a court date regarding a Juvenile Court dependency matter, you must contact the District Attorney.

Because Juvenile Court matters are confidential, information will not be given out over the telephone.

8044 - Where Is The Juvenile Court Located?

The Juvenile Delinquency Court is located at 742 S. Tenth Street (the cross street is Ventura) in the John M. Ashjian complex. Juvenile Delinquency Court cases involve minors accused of a crime.

The Juvenile Dependency Court is located at 1255 Fulton Mall (southwest of Longs Drug). Juvenile Dependency Court cases involve children who are abused and/or neglected.

8045 - How Can I Find Out My Court Date?

Because juvenile records are confidential, court dates cannot be given over the phone. We suggest that you contact your attorney, probation officer, or social worker regarding your court date.

You may come to the Juvenile Court Clerk's Office in person with the proper photo identification to receive this information.

8046 - Can I Get Copies of My Court File?

All juvenile records are confidential. The minor, parents, legal guardian or attorneys of record may request copies at the Juvenile Court Clerk's Office with proper photo identification. There is no charge for copies. The Clerk's Office is open Monday through Friday, 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. The office is located at 742 S. 10th Street, Fresno, near the corner of Tenth and Ventura on the second floor of the Juvenile Court building.

MARRIAGE LICENSE

8047 - How Do I Get A Marriage License?

To apply for a marriage license, the bride and groom must physically come to Fresno County Clerk's Office, Services Section, located at 2221 Kern Street, downtown Fresno between Van Ness Avenue and "M" Streets. The Fresno County Clerk's Office, Services Section, is open Monday through Friday from 7:00 a.m. to 4:00 p.m.

The fee for a Public Marriage License is \$49.00 payable by cash, Visa or Mastercard.

The fee for a Confidential Marriage License is \$69.00 payable by cash, Visa or Mastercard.

Blood tests are not required for either type of marriage license.

Marriage ceremonies are performed for \$15.00 in English or Spanish. Appointments are not necessary. Both applicants must bring a valid driver's license or DMV issued I.D. Card. If you do not have this, you can bring a certified copy of your birth certificate and another form of picture identification. Please call the Services Section at (559) 488-3003 for information on the acceptable types of picture ID.

If either applicant has been divorced, he or she must provide us with the month, day, and year that the divorce became final.

Both licenses are valid for 90 days. With the public license the marriage ceremony can take place anywhere within California. Confidential Licenses must be used within the County of Fresno.

8048 - Can I Get Married if I am Under 18?

Minors cannot be licensed to marry in California without a parent's written consent and a court order from a judge.

If the bride or groom is under 18 years of age, both must come in to the County Clerk's Office to register as a juvenile. You will be given a packet of information at that time. The address is 2221 Kern Street.

Prior to a marriage license being issued, the bride and groom will need to go through counseling with the Family Court Services. The counseling fee is \$296.00. At the time that you register for the counseling, a parent of the minor or minors will need to be present to sign an affidavit giving permission for them to marry. Once the counseling is completed, a report will then be sent to a judge. The judge will decide whether an order allowing the couple to marry should be issued.

8049 - Who May Perform the Marriage Ceremony?

Marriages may be performed by any priest, minister, rabbi, of any religious denomination, any judge, retired judge, commissioner, retired commissioner, magistrate or retired magistrate, who is 18 years of age or older or by a person authorized to do so under Family Code Section 400.

A judge or magistrate who has resigned from office may also perform a marriage ceremony.

A civil marriage commissioner is available through the County Clerk's Office.

The County Clerk's Office requires a \$15.00 fee to perform a marriage ceremony. No appointment is necessary.

NOTARY FILINGS

8050 - Where Can I Have A Document Notarized?

County Clerk's Office, Services Section, can notarize your documents for a fee of \$10.00. This service is available Monday through Friday 7:00 a.m. - 5:00 p.m. You will need the original document to be notarized, a valid driver's license, DMV issued ID or a U.S. passport. The County Clerk's Office is located in the County Plaza complex, 2221 Kern Street, in downtown Fresno, between "M" and "L" Streets, across the street from the Kern Cafe.

PROBATE

8052 - Filing Fees

Filing the first petition in a probate, guardianship or conservatorship proceeding is \$198.00.

Filing a Petition to Determine Succession to a Real Property or a Spousal Property Petition is \$198.00.

The filing fee for an Affidavit for Real Property Valued at Less Than \$20,000.00 is \$35.00.

The filing fee for Petition for Order to Establish Fact of Death, Birth or Marriage is \$29.00.

The filing fee for a petition subsequent to the initial petition which requires a court hearing is \$23.00 if filed by the same petitioner in the same action.

8053 - What Do I Do With The Will?

A Will is generally defined as an instrument of what you, the Testator, want to happen to your estate after your death. It is recommended that you have an attorney write your Will to make sure all of your estate is accounted for and all of the necessary instructions are given in proper legal form.

Within 30 days after knowing that the Testator has passed away, the original Will must be delivered to the Probate Department, located in Room 402 of the courthouse. There is no fee to deposit a Will with the Clerk of the Court.

A copy of the Will must be mailed to the person named as executor in the will.

8054 - Starting Procedure for Probate/Guardianship/Conservatorship.

Probate is the court-supervised administration of a decedent's estate. Whether or not formal probate administration is necessary depends upon a number of factors. Not all property in which the decedent had an ownership interest is subject to probate administration. A judicial proceeding is required only for property and property interests that the decedent owned directly at the time of death. Property owned indirectly or which passes by operation of law or by contract, such as property held in joint tenancy or life insurance which passes to a named beneficiary is not subject to probate. Also, if the decedent was married at the time of death, it may be possible to avoid probate in whole or in part. It is recommended that you contact an attorney to determine whether or not probate is necessary. A Petition for Probate forms packet is available for 70 cents from the Probate Department, located in Room 402 of the courthouse.

A Conservatorship or Guardianship may be established to provide protection and care of persons and/or the estate for persons unable to protect themselves or their property because of age or incapacity. A Guardianship is a court proceeding for the protection of the person and/or the estate of a minor child. A forms packet for filing a Petition for Guardianship of a minor is available for \$1.40 from the Probate Department, located in Room 402 of the courthouse.

A conservator of the person may be appointed for adults who are unable to properly provide for their personal needs for physical health, food, clothing or shelter. A conservator of the estate may be appointed for adults who are unable to manage their financial matters or resist fraud or undue influence, or is an absentee whose whereabouts are unknown. A forms packet for filing a Petition for Conservatorship is available for \$1.40 from the Probate Department, located in Room 402 of the courthouse.

8055 - Estates Valued Under \$100,000.00

If all the property the decedent owned in California, excluding property described in Probate Code Section 13050, has a total gross market value of less than \$100,000.00, an Affidavit for Transfer of Personal Property may be used to transfer the personal property without probate administration.

The Clerk's Office does not have forms for this particular purpose. Please refer to Probate Code Section 13100 and following sections for information on how this may be done. The Probate Code is available in the Law Library on the 6th floor of the courthouse.

If all the property the decedent owned in California, excluding property described in Probate Code Section 13050, has a total gross market value of less than \$100,000.00, and the real property has a gross market value of less than \$100,000.00 but more than \$20,000.00, a Petition to Determine Succession to Real Property may be filed with the court. It is recommended that you contact an attorney regarding your particular situation. An Inventory and Appraisal form must be completed by the Probate Referee and attached to the Petition to Determine Succession to Real Property. You may contact the Probate Referee at (559) 448-9454. The Probate Department has Inventory and Appraisal and Petition to Determine Succession to Real Property forms that may be purchased for 10 cents each. There is also a filing fee of \$198.00 due at the time the petition is filed.

If a decedent owned real property having a gross market value of \$20,000.00 or less, title may be transferred without a court hearing by filing an Affidavit re Real Property of Small Value. Please refer to Probate Code Section 13200 for guidelines on how this may be done. Prior to filing this Affidavit, an Inventory and Appraisal must be completed by the Probate Referee and attached to the Affidavit. A filing fee of \$35.00 is due at the time the Affidavit is filed.

8056 - Probate Referee

An Inventory and Appraisal of all property in the decedent's estate showing fair market value at date of death must be filed within four months after Letters are issued in a probate proceeding or within 90 days after Letters of Conservatorship or Guardianship of the estate are issued.

A Probate Referee is appointed by a superior court judge. In Fresno County, there is one Probate Referee, Steven Diebert. The Probate Referee's fee is approximately 1/10th of one percent of the value of the property appraised, with a minimum fee of \$75.00. The Probate Referee's telephone number is (559) 448-9454.

A Probate Referee must also appraise a decedent's real property prior to the filing of a Petition to Determine Succession to Real Property Less Than \$100,000.00 or an Affidavit re Real Property of Small Value (\$20,000.00 or Less).

RESTRAINING ORDERS

8057 - How Do I Get A Restraining Order?

There are two types of restraining orders available, DOMESTIC VIOLENCE and CIVIL HARASSMENT.

Domestic Violence involves persons who are married or formerly married, related by blood, marriage or adoption, are living or have lived together, have had a dating or engagement relationship or have a minor child in common.

Civil Harassment involves unrelated persons such as neighbors, co-workers, or strangers. Forms for either type of restraining order are available at the Clerk's Office, located in Room 401 of the courthouse. These forms are available for \$1.50. There is no fee for filing a restraining order. The forms must be completed in black ink, either typed or neatly printed. An original and three copies must be presented for filing. Bring the completed forms to the Clerk's Office. The Order will be sent to the judge for review. The decision on your request for a restraining order will be available the next business day. You must arrange to have copies of the temporary restraining order and the Notice of Hearing served on the other party before the hearing, either by the Sheriff or an adult who is not a party to the action. For a permanent restraining order, you must appear at a hearing. At the hearing the judge will listen to the testimony and then make an order, which can last up to three years.

In Civil Harassment cases, the Order After Hearing included in the forms packet must be completed before the hearing and presented to the judge at the hearing.

In Domestic Violence cases, the Order After Hearing is to be completed after the hearing and brought to the Clerk's Office to be sent to the judge for signature.

A copy of the Order After Hearing can be obtained from the Clerk's Office after it has been signed and filed.

Law enforcement responding to an emergency situation may issue an emergency protective order when the courts are closed.

SMALL CLAIMS

8058 - How Do I File A Small Claims Suit?

A small claims suit may not exceed \$5,000. You need to go to the Clerk's Office in your area, complete the form and pay the filing fee of \$20.00. Provide the correct name and address of the party you are suing. If the suit involves a company, list the names of the owner and the business. If the suit is against a corporation, give the name and address of an officer of the corporation or an agent for service. You will be given a date to appear in court and on that day you present your case to the judge. The complaint must be timely served on the defendant before the case will go to court. The fee for service by certified mail is \$6.00 for each party served. The fee for service by the Sheriff's Office or a process server is at least \$26.00. A disinterested party over the age of eighteen may serve your claim. The court date will be set within 30 to 40 days if the defendant resides in the county and 60 to 70 days if the defendant resides outside the county. To obtain forms, send a self-addressed, stamped envelope to the Clerk's Office in your area. Attorneys are not allowed to appear in small claims hearings until after judgment

8059 - Location of the Small Claims Department, The Legal Advisor and The Mediator.

The address of the Small Claims Department is 1100 Van Ness Avenue, Room 200, Fresno, CA 93724-0002. The courthouse is located at the corner of Van Ness Avenue and Fresno Street and across the street from the Doubletree Hotel. The Small Claims Department is on the second floor of the Courthouse in Room 200. If your small claims case arises in a rural community, contact the Clerk's Office in that area. The office hours at both the Fresno and Clovis locations are 8:00 a.m. to 4:00 p.m. The Small Claims Legal Advisor is available free of charge and is located on the 8th floor of the Fresno County Plaza. The address is 2220 Tulare Street and the telephone number is (559) 262-4291. If you would like help in mediating your claim, refer to the Dispute Settlement Center, which is located at 2519 W. Shaw Avenue, Suite 106, Fresno, CA 93711. The telephone number is (559) 222-8111. There is no fee for their service.

8060 - How Do I Continue a Small Claims Court Trial in the Central Division?

A request for continuance must be made in writing with the original request mailed to the court and a copy sent to the other party. Include your case number on all correspondence to the court. There is a \$10.00 continuance fee payable to the Fresno County Superior Court. This fee must accompany your letter. Provide three suggested dates as near to the current trial date as possible. State the reason you are requesting a continuance. Provide the court with your current address and telephone number. The court will notify you regarding your request for continuance. If you have not received notification prior to your trial date, contact the court by telephone. If your case was filed in an outlying community, contact the Clerk's Office in that area regarding their continuance procedure.

8061 - How Do I File an Appeal/Motion to Vacate the Judgment?

The appeal is filed with the Small Claims Department on the form provided by the court. The filing fee is \$83.00 payable to the Fresno County Superior Court. The appeal must be filed within 30 days from the date of the mailing of the Notice of Entry of Judgment. The court will notify all parties of the filing of the appeal and set a date for the trial. Make sure the court has your current address and telephone number. Generally, only the defendant may appeal the judgment. The party who filed a claim, known as the plaintiff, cannot appeal the judge's decision. For that party, the court's judgment is final. If the defendant files a counterclaim against the plaintiff, the defendant's claim is final. A defendant who appeared at the small claims hearing may file the Notice of Appeal in response to the court's ruling on the plaintiff's claim. During the time for appeal, and until another judgment is ordered, the small claims court judgment cannot be collected. An attorney may represent you at the appeal trial. The judgment of the appeal court is final.

If you did not appear at the original trial, you may file a Motion to Vacate or Set Aside the Judgment within 30 days after the date of mailing the Notice of Entry of Judgment. A fee of \$14.00 is required. If you were not properly served with the claim, the period to file the motion to vacate the judgment is 180 days. A fee of \$14.00 is required. The 180-day period begins on the date you found out or should have found out about the judgment against you. The court will set a hearing date and notify all parties. Please provide the court with your current address and telephone number. If your motion to vacate the judgment is denied, you have 10 days from the date of mailing of the denial of the decision to file an appeal.

8062 - Notification of Judgment - Collection of Judgment.

Upon the entering of the judgment, the court will mail the Notice of Entry of Judgment to all parties. If your address is incorrect on the document you were served, inform the court of your correct address and telephone number. The judgment debtor has thirty days from the date of mailing the Notice of Entry of Judgment to pay the creditor, file an appeal or file a Motion to Vacate the Judgment. After the thirty days, the judgment creditor may proceed to collect the judgment. An Order for Examination is a document issued by the court requiring judgment debtors to appear and answer questions about their income and property. The court will set a hearing date. There is a \$23.00 filing fee to issue this document and an additional fee will be charged by the agency serving the document. A Writ of Execution is a court document that instructs the Sheriff's Office to attach wages, property or a bank account. There is a \$7.00 fee to issue the writ and an additional fee will be charged by the agency serving the document. An Abstract of Judgment is a document issued by the court for a fee of \$7.00. The judgment must be recorded with the County Recorder to place a lien on the judgment debtor's property. Once the judgment is paid, the judgment creditor is required to file a Satisfaction of Judgment with the court.

TRAFFIC (ADULT)

8063 - How Can I Extend My Court Date.

If you wish to make a court appearance you must go to the court indicated on your citation or courtesy notice. Bring your yellow citation or courtesy notice with you.

If you do not have either of these items, then write your name, date of birth and driver's license number on a sheet of paper and hand it to the Traffic Court Clerk. If you cannot appear on the date indicated on your notice, you may qualify for an extension. To qualify, you must have no outstanding warrants for your arrest and no DMV holds. You may mail your request for extension to the court indicated on your citation or courtesy notice.

8064 - Traffic School

You may attend traffic school if:

1. You have not attended during the past 18 months, and
2. You have no failures to appear on your driving record.

Traffic School is not available for any offense involving alcohol. If you qualify for traffic school, you must send in a \$30.00 non-refundable administrative fee, plus the bail amount written on your courtesy notice before you can enroll. The mailing address for all traffic school requests for all the courts is Traffic School Department, 1100 Van Ness Avenue, Room B108, Fresno, CA 93724-0002.

8065 - How To Pay Fines

If you have received a traffic citation and know the correct amount of your bail or fine, you may pay by check or money order payable to the court named on your citation. Please write your case number or citation number on your check or money order. The address for the Central Division, Traffic Department, is 1100 Van Ness Avenue, Room B108, Fresno, CA 93724-0002. If your case arises in an outlying community, contact the Clerk's Office in that area. You may also pay by credit card by calling (559) 488-3379.

If you cannot pay the full amount of your ticket, you may request monthly installments. The requirements are that you must complete an Installment Agreement form which will be given to you at the traffic counter and an Administrative Fee of \$35.00 will be added to your fine and must be paid at the time of your request.

You may request monthly installments by mail or in person at the traffic counter between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. The address for the Central Division, Traffic Department, is 1100 Van Ness Avenue, Room B108, Fresno, CA 93724-0002. If your case arises in an outlying community, contact the Clerk's Office in that area.

If there is a warrant for your arrest, the warrant will remain in effect until the court has received your signed Installment Agreement and the \$35.00 administration fee.

If your case has been referred to the Revenue Reimbursement Department, you must continue to make payments to them. Their phone number is (559) 488-3815. If you were issued a parking citation after June 30, 1993, you need to contact the agency printed on the back of your citation.

8066- DMV Hold On Driver's License

If there is a warrant for your arrest or a DMV hold on your driver's license, you may:

1. Mail the amount shown on your warrant or Failure to Appear Notice to the Court.
2. If you would like to make arrangements for installment payments, you may do so in person at the traffic counter between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.

An additional \$35.00 administrative fee will be charged at that time.

3. If you wish to contest your case, contact the court to get a date and time to appear.
4. All outstanding warrants for your arrest require a court appearance.

8067 - How to Contest a Ticket

If you want to contest your ticket, you may arrange for a trial date either by mail or by appearing at the Traffic Division counter between 8:00 a.m. and 4:00 p.m., Monday through Friday, except holidays. You may be required to post bail to ensure your appearance for the trial. If your request is by mail, a Notice of Arraignment and Trial will be sent to you. To confirm your court date, you must sign the Notice and return it to the court.

You may also contest your ticket in writing. You must request a "Trial By Declaration" form from the court, which will be mailed to both you and the officer involved in your case. You must complete this Declaration, post the bail and return the completed Declaration and bail to the court. The total bail amount appears on your traffic violation notice in Option One. The address for the Central Division, Traffic Department, is 1100 Van Ness Avenue, Room B108, Fresno, CA 93724-0002. The commissioner or judge will review the declaration and a decision will be mailed to you.

8068 - Juvenile Citations

If you are under the age of 18 and received a traffic citation, you will receive a notice in the mail indicating a specific court date and time to appear. You must bring your parent or guardian. If you fail to appear for your court date, a hold will be placed on your driver's license unless you contact the court indicated on your notice within 60 days.

CIVIL

8069 - Horario y el local

La oficina de la Secretaría del Tribunal Superior del Condado de Fresno, División Central, se encuentra por la Avenida Van Ness al Número Mil Cien (#1100), Fresno. Está abierta de las ocho de la mañana hasta las cuatro de la tarde. La oficina de Archivos del Tribunal Superior del Condado de Fresno (para los archivos de casos viejos) se encuentra por la Calle "E" al Número Uno-Nueve-Seis-Tres (#1963)) en Fresno y también está abierta de las ocho de la mañana hasta las cuatro de la tarde.

El Tribunal de Menores se encuentra por la Calle Décima al Número Siete-Cuatro-Dos (#742). Las horas hábiles son de las ocho de la mañana hasta las cinco de la tarde. Está cerrado de las doce del medio día hasta la una de la tarde. La dirección de correspondencia para la Secretaría del Tribunal Superior del Condado de Fresno, División Central, es: Uno-Uno-Cero-Cero (1100) Van Ness Avenue, Fresno, California código postal Nueve-Tres-Siete-Dos-Cuatro-guión-Cero-Cero-Cero-Dos (93724-0002).

El Tribunal también tiene oficinas en Clovis, Coalinga, Firebaugh, Fowler, Kerman, Kingsburg, Reedley, Sanger y Selma. Las horas hábiles son de las ocho de la mañana hasta las cuatro de la tarde. Están cerradas de las doce del medio día hasta la una de la tarde. Favor de consultar la guía telefónica de Fresno/Madera para información acerca de números telefónicos y direcciones de estas oficinas.

RECLAMOS MENORES

8070 - ¿Cómo entablo una demanda de reclamos menores?

Una demanda de reclamos menores no puede exceder cinco mil dólares (\$5,000). Ud. necesita ir a la oficina de un juzgado en su <rea, llenar el formulario y pagar la cuota judicial de veinte dólares. Provéa el nombre correcto y la dirección de la parte a quien Ud. está demandando. Si la demanda involucra a una compañía, indique el nombre del dueño y el nombre de la empresa. Si la demanda es contra una corporación indique el nombre y la dirección de un funcionario de la corporación o el del agente de edictos. Se le dará una fecha para comparecer y en ese día Ud. le presentará su caso al juez. Se le debe dar notificación al demandado dentro del plazo prescrito antes de que el caso proceda al tribunal. La cuota de notificación por correo certificado es seis dólares por cada parte notificada. La cuota de notificación por la oficina del sheriff o por un agente de proceso es por lo menos veintiseis dólares (\$26.00). Una parte desinteresada mayor de la edad de dieciocho puede entregar la notificación de su demanda. Una cita judicial será programada dentro de treinta o cuarenta días si el demandado radica en el condado; dentro de sesenta o setenta días si el demandado radica fuera del condado. Para obtener formularios, mande un sobre dirigido a si mismo y timbrado al departamento de la Secretaría del Tribunal en su <rea. No se permite representación por parte de abogados en demandas de reclamos menores hasta después del fallo.

SERVICIO DE JURADO

8071 - ¿ Dónde me presento para prestar servicio de jurado? ¿Dónde me estaciono?

Los jurados que han sido emplazados por la División Central del Tribunal Superior del Condado de Fresno han de presentarse a la Sala de Asamblea del Jurado, ubicada al otro lado del andén abierto al lado opuesto de la entrada principal del Edificio de Tribunales por la Avenida Van Ness al número Uno-Uno-Cero-Cero (1100), en Fresno. Los jurados emplazados por las divisiones fuera del pueblo han de presentarse a la dirección indicada en el citatorio de comparecencia. Favor de consultar el mapa impreso al dorso del citatorio de comparecencia. Llame al número telefónico del mensaje grabado que está impreso en su citatorio de comparecencia la noche antes que le toca presentarse para ponerlo al tanto con respecto a información de comparecencia. El número telefónico del mensaje grabado de la División Central es <rea cinco-cinco-nueve-cuatro-ocho-ocho-dos-seis-cero-cero [(559) 488-2600]. Esta información también está disponible en el sitio web del Tribunal al www.fresno.ca.gov/2810/default.htm. El número telefónico del mensaje grabado para las divisiones fuera del pueblo se encuentran en la parte del citatorio de comparecencia que dice, "jury duty check-in slip". Para los jurados presentándose a la División Central, hay estacionamiento disponible en el Lote 7. El Lote 7 está ubicado en la estructura de estacionamiento en forma de caracol que está ubicada en la esquina de la Calle Inyo y la Avenida Van Ness en Fresno. Si Ud. maneja un vehículo demasiado grande, se puede estacionar en el Lote 5 en la esquina sureste de Tulare y Broadway en Fresno. Favor de consultar el mapa impreso en el dorso del citatorio de comparecencia. Hay disponible permisos de estacionamiento en la Sala de Asamblea de Jurados.

8072 - ¿Qué sucederá si no me presento para prestar servicio de jurado?

Todo jurado prospectivo que ha sido emplazado para servicio y falta a contestar puede ser arrestado y ordenado a comparecer ante un juez para explicar la razón por la cual faltó a presentarse para servicio de jurado. Si el Tribunal los encuentra en contumacia, podrán ser multados, encarcelados o ambas cosas.

8073 - ¿Cómo son elegidos los jurados para servicio de jurado, cómo son programados y cómo son pagados?

Actualmente los nombres de los jurados son tomados al azar de una fuente común de nombres de conductores que tienen licencia de conductor y de votantes empadronados del Condado de Fresno.

Los tribunales han aprobado el sistema "Un Día o Un Juicio." A Ud. le podrán pedir que llame para recibir instrucciones sobre su comparecencia varias veces pero a menos que surja alguna circunstancia imprevista, se le despedirá de sus deberes de jurado por lo menos por un período de un año si no es asignado a un tribunal para el fin del día en que Ud. comparezca para servicio de jurado.

Solamente los jurados juramentados recibirán cinco dólares al día, más millaje de ida por los días de juicio en los que preste su servicio de jurado. Se define los jurados juramentados como los jurados seleccionados para escuchar el testimonio durante el juicio y que llegan a un veredicto. Los cheques de sueldo serán emitidos aproximadamente de cuatro a seis semanas después de que termine su servicio. Si Ud. no ha recibido su cheque de sueldo, puede comunicarse con la Oficina de Jurado al área cinco-cinco-nueve-cuatro-ocho-ocho-tres-cuatro-cero-cero [(559) 488-3400] entre las ocho de la mañana y las doce del medio día y entre la una y las cinco de tarde de lunes a viernes.

SERVICIO DE JURADO

8074 - ¿Puedo aplazar mi servicio de jurado a una fecha posterior?

La Oficina de Jurado otorgar< solamente una postergaci\\n de servicio. Seleccione una fecha dentro de seis (6) meses cuando podr< prestar su servicio y llene la secci\\n de postergaci\\n que est< en la parte inferior del formulario del citatorio. Se le mandar< a Ud. un citatorio nuevo por correo cuatro semanas antes de su fecha de comparecencia.

CONVALIDACIÓN

8075 - La cuota de registro

La cuota de registro de la primer petición en el proceso de una Convalidación, Tutelaje o Curatela es ciento noventa y tres dólares (\$193.00). Para registrar una Petición para Determinar Sucesión a Bienes Inmuebles o una Petición para Bienes Conyugales la cuota es ciento noventa y tres dólares (\$193.00).

La cuota de registro de un Afidávit para Bienes Inmuebles valorizados en menos de veinte mil dólares (\$20,000) es treinta y cinco dólares (\$35.00).

La cuota de registro de una Petición para Ordenar que se Establezca Hecho de Muerte, Nacimiento o Matrimonio es veintinueve dólares (\$29.00).

La cuota de registro de una petición subsecuente a la petición original que requiera una audiencia judicial es veintitres dólares (\$23.00) si es registrado por el mismo demandante en la misma demanda.

8076 - ¿Qué hago con el testamento?

Un testamento por lo general se define como un instrumento acerca de lo que Ud., el Testador, desea que suceda con su patrimonio después de su muerte. Se le aconseja que un abogado prepare su testamento para asegurarse de que se rinda cuenta de todo su patrimonio y que todas las instrucciones necesarias se den de una manera legal apropiada.

Dentro de treinta días de haberse enterado del fallecimiento del Testador, el Testamento original deberá ser entregado en el Departamento de Convalidación, el cual está ubicado en la Oficina Cuatro-Cero-Dos del Edificio de Tribunales. No hay costo alguno para depositar un Testamento con la Secretaría del Tribunal.

Se le debe mandar por correo una copia del Testamento a la persona nombrada albacea en el testamento.

8077 - Procedimiento para empezar Convalidación/Tutelage/Curatela

Convalidación es la administración del patrimonio de un difunto supervisada por el tribunal. Si se necesita una convalidación administrativa formal o no, depende en un número de factores. No todos los bienes en que el difunto tuvo interés de propietario están sujetos a la convalidación administrativa. Se requiere un procedimiento judicial solamente para bienes e intereses de propiedad que le hayan pertenecido directamente al difunto al momento de su fallecimiento. No están sujetos a convalidación los bienes indirectamente propios o que pasan por ministerio de ley o por contrato, como propiedad poseída en condición de copropiedad de un inmueble o seguro de vida que pasa a un beneficiario designado. Además, si el difunto estaba casado al momento de su fallecimiento, podría ser posible evadir una convalidación por completo o en parte. Se le aconseja que se comunique con un abogado para determinar si una convalidación es necesaria o no. Un paquete de formularios para una Petición de Convalidación está disponible por setenta centavos en el Departamento de Convalidación, localizado en la Oficina Cuatro-Cero-Dos del edificio de tribunales.

Se puede establecer una Curatela o Tutelage para proveer protección y cuidado a personas y/o al patrimonio de personas que no pueden protegerse a sí mismo o a sus bienes inmuebles debido a su edad o incapacidad. Un Tutelage es un procedimiento judicial para la protección de la persona y/o los bienes inmuebles de un niño menor de edad. Un paquete de formularios para registrar una Petición para Tutelage de un menor de edad está disponible por un dólar y cuarenta centavos en el Departamento de Convalidación, localizado en la Oficina Cuatro-Cero-Dos del Edificio de Tribunales.

Un curador (protector) de la persona puede ser nombrado para adultos que no pueden proveerse

adecuadamente sus necesidades personales para su salud física, alimento, ropa y alojamiento. Un curador de bienes inmuebles puede ser nombrado para una persona que no posee la capacidad necesaria para administrar sus asuntos financieros o resistir fraude o coacción (presión indebida), o es persona ausente cuyo paradero se desconoce. Un paquete de formularios para registrar una petición de curatela está disponible por un dólar y cuarenta centavos en el Departamento de Convalidación, localizado en la Oficina Cuatro-Cero-Dos del Edificio de Tribunales.

8078 - Patrimonio valorizado en menos de cien mil dólares (\$100,000)

Si todas las propiedades de bienes inmuebles y personales que le hayan pertenecido a un difunto en California, excluyendo propiedades descritas en el Código de Convalidación en la sección uno-tres-cero-cinco-cero (13050), tienen un valor de mercado bruto de menos de cien mil dólares (\$100,000), los bienes personales pueden ser transferidos sin administración de convalidación por medio de Affidavit de Transferencia de Bienes Personales. La Oficina de la Secretaría del Tribunal no tiene ningún formulario para este propósito específico. Para ver como se puede hacer esto, por favor vea las pautas delineadas en la sección uno-tres-uno-cero-cero (13100) del Código de Convalidación y la secciones subsecuentes. El Código de Convalidación está disponible en la Biblioteca Legal en el sexto piso del edificio del tribunal.

Si todas las propiedades de bienes inmuebles y personales que le hayan pertenecido a un difunto en California, excluyendo propiedades descritas en el Código de Convalidación en la sección uno-tres-cero-cinco-cero (13050) tienen un valor de mercado bruto de menos de cien mil dólares (\$100,000) pero más de veinte mil dólares (\$20,000) una petición tiene que ser registrada con el tribunal para determinar la sucesión de los bienes inmuebles. Se le aconseja que se comuniquen con un abogado acerca de su situación en particular. Un avalúo debe ser realizado por el Jefe de Convalidación y debe adjuntarse a la Petición de Sucesión a Los Bienes Inmuebles. Ud. puede comunicarse con el Jefe de Convalidación al cinco-cinco-nueve-cuatro-ocho-ocho-nueve-cuatro-cinco-cuatro [(559) 488-9454]. El Departamento de Convalidación tiene formularios para realizar el avalúo y también para registrar una Petición para Determinar La Sucesión A Bienes Inmuebles. Ud. puede comprar los formularios por diez centavos cada uno. También se ha de pagar una cuota judicial de ciento noventa y tres dólares (193.00) al momento de registrar la petición.

Si un difunto era propietario de bienes inmuebles con un valor de mercado bruto de veinte mil dolares (\$20,000) o menos, el título puede ser transferido sin una audiencia judicial por medio de la registraci3n de un Affidavit tocante Bienes Inmuebles de valor pequeño. Para ver como se puede hacer Esto, por favor vea las pautas delineadas en la secci3n uno-tres-dos-cero-cero (13200) del Código de Convalidaci3n. Antes de registrar un Affidavit, el J3bitro de Convalidaci3n tiene que realizar un avalúo. Se ha de pagar la cuota judicial de treinta-cinco dólares (\$34.00) al momento de registrar el Affidavit.

8079 - Árbitro de Convalidación.

Debe registrarse un Inventario o Avalúo de todos los bienes en el patrimonio del difunto mostrando el valor de mercado justo en la fecha de fallecimiento, dentro de un lapso de cuatro meses después de que se hayan emitido Cartas en el proceso de convalidación, o dentro de un lapso de noventa días después de que se hayan emitido Cartas de Curatela o de Tutelaje del patrimonio.

Un Juez del Tribunal Superior asigna un Árbitro de Convalidación. En el Condado de Fresno hay un Árbitro de Convalidación, Steven Diebert (DEE-BERT). El honorario del Árbitro de Convalidación es aproximadamente una décima parte de un por ciento del valor de la propiedad evaluada, con un honorario mínimo de setenta y cinco dólares (\$75.00). El número telefónico del Árbitro de Convalidación es <rea cinco-cinco-nueve-cuatro-cuatro-ocho-nueve-cuatro-cinco-cuatro [(559) 448-9454].

El Árbitro de Convalidación también debe de evaluar los bienes inmuebles del difunto antes de registrar una Petición para Determinar Sucesión a Bienes Inmuebles de Valor Menos de cien mil dolares (\$100,000) o un Afidávit tocante Bienes Inmuebles de Pequeño Valor (Veinte Mil Dólares (\$20,000) o Menos).

TRÁNSITO

8080 – Citaciones de menores

Si Ud. tiene menos de diez y ocho años y recibe una infracción, Ud. recibirá un aviso por correo indicando la fecha y la hora específica de su cita judicial en que tiene que comparecer. Si Ud. falta a comparecer el día de su cita judicial, se pondrá en su licencia de conductor una retención (hold), a menos que Ud. se comunique con el tribunal indicado en su aviso dentro de sesenta (60) días.